

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID STEBBINS,
Plaintiff,

v.

STATE OF TEXAS,
Defendant.

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3:11-CV-2227-N (BK)

Referred to U.S. Magistrate Judge

NOTICE OF DEFICIENCY AND ORDER

Pursuant to the provisions of 28 U.S.C. § 636(b) and Special Order 3, this case was referred for pretrial management.

I.

The motion to proceed *in forma pauperis* (Doc. 3) is insufficient to determine whether Plaintiff is entitled to proceed *in forma pauperis*. Accordingly, Plaintiff is **ordered** to resubmit his motion on the AO-239 Form **no later than September 28, 2011**. *Failure to comply with this order may result in the dismissal of this case for want of prosecution under Federal Rule of Civil Procedure 41(b).*

Plaintiff filed a *Motion to Confirm Arbitration Award* (Doc. 2), in lieu of a complaint, under Federal Rule of Civil Procedure 8(a). **Therefore, no later than September 28, 2011, Plaintiff is ORDERED to submit a complaint in compliance with Rule 8(a).**¹ The *Motion to*

¹ A pleading that states a claim for relief must contain:

(1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;

(2) a short and plain statement of the claim showing that the pleader is entitled to relief; and

(3) a demand for the relief sought, which may include relief in the alternative or different types of relief.

Confirm Arbitration Award is **DENIED without prejudice**. *Failure to comply with this order may result in the dismissal of this case for want of prosecution under Federal Rule of Civil Procedure 41(b).*

II.

The *Motion for ECF Access* (Doc. 4) is **DENIED without prejudice** to Plaintiff completing an ECF User Registration Form available on the Court's web page and submitting it to the Clerk of the Court.

III.

At all times during the pendency of this action, Plaintiff is **directed** to advise the Court of any change of address and its effective date by filing a notice captioned "NOTICE TO THE COURT OF CHANGE OF ADDRESS." The notice should contain only information pertaining to the change of address and its effective date; it must not contain any motions for any other relief. *Failure to file a notice of change of address may result in the dismissal of this action for failure to prosecute.*

The Clerk of the Court is directed to mail to Plaintiff:

- (1) a copy of the AO-239 form application to proceed *in forma pauperis*, and**
- (2) the standard form for filing a civil complaint (labeled "amended").**

No process will issue except upon order of the Court.

SIGNED August 31, 2011.



RENÉE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE